

State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE

- * The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301.
- * Please address questions regarding information on this notice to the agency.
- * The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- * The full text of all rule filings may also be inspected at the Division of Administrative Rules.

DAR file no:		Date filed:	
State Admin Rule Filing Id:		Time filed:	

		Agency No.		Rule No.		Section No.
Utah Admin. Code Ref (R no.):	R	156	-	70a	-	304
Changed to Admin. Code Ref. (R no.):	R		-		-	

1.	Agency:	Commerce/Division of Occupational and Professional Licensing		
	Room no.:			
	Building:	Heber M. Wells Building		
	Street address 1:	160 East 300 South		
	Street address 2:			
	City, state, zip:	Salt Lake City UT 84111-2316		
	Mailing address 1:	PO Box 146741		
	Mailing address 2:			
	City, state, zip:	Salt Lake City UT 84114-6741		
	Contact person(s):			
	Name:	Phone:	Fax:	E-mail:
	Noel Taxin	801-530-6621	801-530-6511	ntaxin@utah.gov

(Interested persons may inspect this filing at the above address or at the Division of Administrative Rules during business hours)

2.	Title of rule or section (catchline):
	Continuing Education
3.	Type of notice:
	New ____; Amendment XX; Repeal ____; Repeal and Reenact ____
4.	Purpose of the rule or reason for the change:
	The Division and the Physician Assistant Licensing Board are proposing this amendment to combine information and clarify the current continuing education requirement for licensed physician assistants.
5.	This change is a response to comments from the Administrative Rules Review Committee.
	No XXX; Yes ____
6.	Summary of the rule or change:
	The proposed amendment deletes paragraph (5) and moves the information in that paragraph to paragraph (1). Remaining paragraphs are renumbered.
7.	Aggregate anticipated cost or savings to:
	A) State budget:
	Affected: No ____; Yes XXX
	The Division will incur minimal costs of approximately \$50 to print and distribute the rule once the proposed amendment is made effective. Any costs incurred will be absorbed in the Division's current budget.
	B) Local government:

	Affected:	No XXX; Yes ____
The proposed amendment only applies to licensed physician assistants in Utah. As a result, the proposed amendment does not apply to local governments.		
C) Small businesses ("small business" means a business employing fewer than 50 persons):		
	Affected:	No XXX; Yes ____
The proposed amendment only apply to licensed physician assistants in Utah. As a result, the proposed amendment does not apply to "small businesses".		
D) Persons other than small businesses, businesses, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):		
	Affected:	NoXXX; Yes ____
The proposed amendment only applies to licensed physician assistants in Utah. As a result, the proposed amendment does not apply to other persons.		
8.	Compliance costs for affected persons:	
The proposed amendment only apply to licensed physician assistants in Utah. Since the proposed amendment is only a wording change and no changes in requirements, there are no additional costs to licensed physician assistants beyond those presently required for obtaining of required continuing education hours.		
9.	A) Comments by the department head on the fiscal impact the rule may have on businesses:	
As stated in the rule analysis, this filing makes a slight reorganization of existing language. No fiscal impact to businesses will result.		
	B) Name and title of department head commenting on the fiscal impacts:	
Francine A. Giani, Executive Director		
10.	This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.	
State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :		
Section 58-70a-101		Subsection 58-1-106(1)(a)
Subsection 58-1-202(1)(a)		
11.	This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Division of Administrative Rules; <i>if none, leave blank</i>):	
	First Incorporation	Second Incorporation
Official Title of Materials Incorporated (from title page)		
Publisher		
Date Issued		
Issue, or version		
ISBN Number (optional)		
ISSN Number (optional)		
Cost of Incorporated Reference		
Action: Adds, updates, or removes		
(If this rule incorporates more than two items by reference, please attach additional pages)		
12.	The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)	
	A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy):	07/31/2013

B) A public hearing (optional) will be held:		
On (mm/dd/yyyy):	At (hh:mm AM/PM):	At (place):
13. This rule change may become effective on (mm/dd/yyyy):		08/07/2013
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.		
14. Indexing information -- keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")); may not include the name of the agency:		
licensing	physician assistants	
15. Attach an RTF document containing the text of this rule change (filename):		R156-70a.pro
To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> , and delaying the first possible effective date.		
AGENCY AUTHORIZATION		
Agency head or designee, and title:	Mark B. Steinagel, Director	Date (mm/dd/yyyy): 06/05/2013

R156. Commerce, Occupational and Professional Licensing.

R156-70a. Physician Assistant Practice Act Rule.

R156-70a-304. Continuing Education.

In accordance with Subsection 58-70a-304(1)(a), the requirements for qualified continuing professional education (CPE) are as follows:

(1) CPE shall consist of 40 hours in each preceding two year licensure cycle. A licensee may submit documentation to the Division of current national certification by NCCPA; such certification shall be deemed to meet the requirements in this section.

(2) A minimum of 34 hours shall be in category 1 offerings as established by the Accreditation Council for Continuing Medical Education (ACCME).

(3) Approved providers for ACCME offerings include the following:

(a) approved programs sponsored by the American Academy of Physician Assistants (AAPA); or

(b) programs approved by other health-related continuing education approval organizations, provided the continuing education is nationally recognized by a healthcare accredited agency and the education is related to the practice as a physician assistant.

(4) A maximum of six hours may be recognized for non-ACCME offerings of continuing education provided by the Division of Occupational and Professional Licensing. [

~~—(5) Where a licensee submits documentation to the Division of current national certification by NCCPA, such certification shall be deemed to meet the requirements in Subsection (1).]~~

[[6]5) Continuing education under this section shall:

(a) be relevant to the licensee's professional practice;

(b) be prepared and presented by individuals who are qualified by education, training and experience to provide medical continuing education; and

(c) have a method of verification of attendance and completion.

[[7]6) Credit for continuing education shall be recognized in 50 minute hour blocks of time for education completed in formally established classroom courses, seminars, lectures, conferences or training sessions which meet the criteria listed in Subsection ([6]5) above).

[[8]7) A licensee shall be responsible for maintaining competent records of completed continuing professional education for a period of four years after close of the two year period to which the records pertain. It is the responsibility of the licensee to maintain such information with respect to continuing professional education and to demonstrate it meets the requirements under this section. If requested, the licensee shall provide documentation of completed continuing education.

[[9]8) Continuing professional education for licensees who have not been licensed for the entire two year period will be prorated from the date of licensure.

KEY: licensing, physician assistants

Date of Enactment or Last Substantive Amendment: [~~September 13,~~
2010]

Notice of Continuation: December 19, 2011

Authorizing, and Implemented or Interpreted Law: 58-70a-101;
58-1-106(1)(a); 58-1-202(1)(a)